United Nations A/54/L.82

General Assembly

Distr.: Limited
13 April 2000

Original: English

Fifty-fourth session
Agenda item 97 (a)
Macroeconomic policy questions: high-level international intergovernmental consideration of financing for development

Draft resolution recommended by the Preparatory Committee for the High-level International Intergovernmental Event on Financing for Development at the 5th meeting of its resumed organization session, on 31 March 2000

Preparations for the substantive preparatory process and the high-level international event

The General Assembly

1. *Welcomes* the report of the Bureau of the Preparatory Committee for the High-level International Intergovernmental Event on Financing for Development on the modalities of the participation of all relevant stakeholders in the substantive preparatory process and the high-level intergovernmental event on financing for development;[1]

2. *Approves*:

(a) Proposals contained in paragraph 7 of the report of the Bureau regarding the modalities of participation of the World Bank, and requests the Bureau to seek clarification on paragraph 7 (c) thereof, taking into account the views expressed in the Preparatory Committee;

(b) Recommendations regarding the participation of the Bretton Woods institutions and the World Trade Organization in the work of the Preparatory Committee, as contained in paragraph 10 of the report of the Bureau;

(c) Recommendations regarding the participation of intergovernmental organizations, the specialized agencies, the funds and programmes of the United Nations, and other relevant official or quasi-official organizations, as contained in paragraph 13 of the report of the Bureau;

[1] A/AC.257/6.

00-39145 (E) 140400

(d) Paragraph 11 of the report of the Bureau regarding the holding of regional consultative meetings during the second half of 2000 on substantive matters before the Preparatory Committee;

(e) Recommendations regarding the participation of non-governmental organizations and the business sector, as contained in paragraphs 14 to 19 of the report of the Bureau, and requests the Bureau to submit the applications of those non-governmental organizations which do not already have consultative status with the Economic and Social Council for accreditation to the Preparatory Committee for its approval;

3. *Requests* the Bureau, in connection with the modalities proposed by the World Bank, to convey to the Bank the desire of the Preparatory Committee that the Bank would participate actively in the Preparatory Committee, to reinforce the impact of the cooperation envisaged under the proposed modalities;

4. *Requests* the Bureau to continue consultations intensively with the institutional stakeholders indicated in paragraph 11 (e) (i) of General Assembly resolution 54/196 of 22 December 1999 on modalities for their participation and to report to the Preparatory Committee as soon as possible with proposals and recommendations thereon, as well as possible proposals and recommendations for additional modalities for participation of the private sector;

5. *Further requests* the Bureau to make proposals and recommendations to the Preparatory Committee at its resumed organizational session on subparagraphs (a), (b), (c) and (g) of paragraph 11 of General Assembly resolution 54/196, taking into account discussions in the Preparatory Committee;

6. *Further requests* the Bureau to make arrangements for open-ended informal consultations on subparagraph (d) of paragraph 11 of General Assembly resolution 54/196 before the convening of the first substantive session, taking into account paragraph 3 of resolution 54/196 and the elements indicated in the report of the Ad Hoc Open-ended Working Group of the General Assembly on Financing for Development;[2]

7. *Requests* the Secretary-General to assist in the implementation of the recommendations contained in the report of the Bureau, as approved by the Preparatory Committee, and in the present resolution, and to continue to provide all needed support to the Preparatory Committee and to the Bureau, including arrangements to facilitate the travel of Bureau members to take part in consultations with the major institutional stakeholders;

8. *Reiterates* its decision that the first substantive session of the Preparatory Committee should be held beginning on 15 May 2000, at United Nations Headquarters;

9. *Decides* that the Preparatory Committee should hold its second substantive session, of two weeks' duration, in the first quarter of 2001 and its third substantive session, of two weeks' duration, in the second quarter of 2001, at United Nations Headquarters;

10. *Decides* that the Preparatory Committee should suspend its resumed organizational session and reconvene it at the earliest possible date in order to complete its work.

---

[2] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 28* (A/54/28).

United Nations A/54/L.83

General Assembly

Distr.: Limited
2 May 2000

Original: English

Fifty-fourth session
Agenda item 49 (b)
United Nations reform: measures and proposals:
The Millennium Assembly of the United Nations

Draft resolution submitted by the President of the General Assembly

Organization of the list of speakers and the round tables for the Millennium Summit

The General Assembly,

Recalling its resolution 53/202 of 17 December 1998, by which it decided, *inter alia*, to designate the fifty-fifth session of the General Assembly "The Millennium Assembly of the United Nations" and to convene, as an integral part of the Millennium Assembly, a Millennium Summit of the United Nations,

Recalling also its resolution 54/254 of 15 March 2000, by which it decided that:

(a) The Millennium Summit shall be held from 6 to 8 September 2000 in New York under the overall theme "The role of the United Nations in the twenty-first century";

(b) The Millennium Summit will be composed of plenary meetings and four interactive round-table sessions, with each interactive session to be held in concurrence with a plenary meeting;

(c) Owing to the unique symbolic moment of the Millennium Summit, the country of the President of the fifty-fourth session of the General Assembly and the country of the President of the fifty-fifth session of the Assembly will jointly preside over the Summit,

Reiterating that a Millennium Summit would provide an opportunity to strengthen the role of the United Nations in meeting the challenges of the twenty-first century,

00-41340 (E) 020500

Having considered the report of the Secretary-General entitled "The Millennium Assembly of the United Nations: thematic framework for the Millennium Summit",[1]

Bearing in mind the presentation by the Secretary-General of his report entitled "We the peoples: the role of the United Nations in the twenty-first century",[2]

1. *Decides* that the Millennium Summit shall consist of a total of six meetings, on the basis of two meetings a day, as follows:

Wednesday, 6 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

Thursday, 7 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

Friday, 8 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

2. *Decides also* that the Millennium Summit shall hold four interactive round-table sessions, as follows:

Wednesday, 6 September 2000, from 3 to 6 p.m.;

Thursday, 7 September 2000, from 10 a.m. to 1 p.m. and from 3 to 6 p.m.;

Friday, 8 September 2000, from 10 a.m. to 1 p.m.;

3. *Decides further* that the list of speakers for the Millennium Summit and the modalities for the round tables shall be established in accordance with the procedure set forth in the annex to the present resolution.

Annex

Organization of the list of speakers and the round tables for the Millennium Summit of the General Assembly

A

1. The list of speakers for the Millennium Summit will be established on the basis of six meetings. At the opening meeting, on Wednesday, 6 September 2000, the first speakers will be the two Co-Chairmen of the Millennium Summit, the Secretary-General and the head of State or head of the delegation of the host country of the Organization. Therefore, the opening meeting will have 32 speaking slots. The morning meetings of Thursday, 7 September 2000, and Friday, 8 September 2000, will have 40 speaking slots. The afternoon meetings of Wednesday and Thursday will have 30 speaking slots. The Friday afternoon meeting will have 20 speaking slots since the last hour will be devoted to the closing of the Millennium Summit.

2. The list of speakers for the Millennium Summit will be initially established as follows:

(*a*) The representative of the Secretary-General will draw one name from a box containing the names of all Member States, the Holy See and Switzerland, in their capacity as observer States, and Palestine, in its capacity as observer, participating in the Millennium Summit. This procedure will be repeated until all

[1] A/53/948 and Add.1.
[2] A/54/2000.

names have been drawn from the box, thus establishing the order in which participants will be invited to choose their meetings and select their speaking slots;

(*b*) Consultations will continue regarding the possible participation of one or more representatives of civil society;

(*c*) Six boxes will be prepared, each one representing a meeting and each one containing numbers corresponding to speaking slots at that meeting;

(*d*) Once the name of a Member State, observer State or Palestine, in its capacity as observer, has been drawn by the representative of the Secretary-General, that Member State, observer State or Palestine, in its capacity as observer, will be invited to first choose a meeting and then draw from the appropriate box the number indicating the speaking slot in the meeting.

3. The establishment of the initial list of speakers for the Millennium Summit as outlined in paragraph 2 of the present annex will take place at a meeting to be scheduled as soon as possible during the month of May 2000.

4. Subsequently, the list of speakers for each meeting will be rearranged in accordance with the established practice of the General Assembly when organizing each category of speakers, following the order resulting from the selection process outlined in paragraph 2 of the present annex:

(*a*) Heads of State and Government will thus be accorded first priority, followed by vice-presidents, crown princes/princesses, ministers, permanent representatives and the highest-ranking official of the Holy See and Switzerland, in their capacity as observer States, and Palestine, in its capacity as observer;

(*b*) In the event that the level at which a statement is to be made is subsequently changed, the speaker will be moved to the next available speaking slot in the appropriate category at the same meeting;

(*c*) Participants may arrange to exchange their speaking slots in accordance with the established practice of the General Assembly;

(*d*) Speakers who are not present when their speaking turn comes will be automatically moved to the next available speaking slot within their category.

5. In order to accommodate all speakers at the Millennium Summit, statements should be limited to five minutes, on the understanding that this will not preclude the distribution of more extensive texts.

B

1. The four round tables will have at least 40 seats each and will be chaired by a head of State.

2. Each regional group will determine those members that will attend each round table, ensuring that equitable geographical distribution will be maintained, allowing for some flexibility. The chairmen of the regional groups will communicate to the President of the General Assembly the list of countries from their respective regions that will participate in each round table. Member States are encouraged to be represented at the round tables at the level of heads of State or Government.

3. Three of the round tables would be chaired by the three regions not represented by the two Co-Chairmen. These would be selected by their respective regional

groups in consultation with the President of the General Assembly. The choice of chairperson of the fourth round table will be subject to further consultations.

4. All four round tables will cover the same overarching theme and sub-themes.

United Nations A/54/L.83/Rev.1

General Assembly

Distr.: Limited
3 May 2000

Original: English

Fifty-fourth session
Agenda item 49 (b)
United Nations reform: measures and proposals: the Millennium Assembly of the United Nations

Draft resolution submitted by the President of the General Assembly

Organization of the list of speakers and the round tables for the Millennium Summit

The General Assembly,

Recalling its resolution 53/202 of 17 December 1998, by which it decided, *inter alia*, to designate the fifty-fifth session of the General Assembly "The Millennium Assembly of the United Nations" and to convene, as an integral part of the Millennium Assembly, a Millennium Summit of the United Nations,

Recalling also its resolution 54/254 of 15 March 2000, by which it decided that:

(a) The Millennium Summit shall be held from 6 to 8 September 2000 in New York under the overall theme "The role of the United Nations in the twenty-first century";

(b) The Millennium Summit will be composed of plenary meetings and four interactive round-table sessions, with each interactive session to be held in concurrence with a plenary meeting;

(c) Owing to the unique symbolic moment of the Millennium Summit, the country of the President of the fifty-fourth session of the General Assembly and the country of the President of the fifty-fifth session of the Assembly will jointly preside over the Summit,

Reiterating that a Millennium Summit would provide an opportunity to strengthen the role of the United Nations in meeting the challenges of the twenty-first century,

00-41558 (E) 030500

Having considered the report of the Secretary-General entitled "The Millennium Assembly of the United Nations: thematic framework for the Millennium Summit",[1]

Bearing in mind the presentation by the Secretary-General of his report entitled "We the peoples: the role of the United Nations in the twenty-first century",[2]

1. *Decides* that the Millennium Summit shall consist of a total of six meetings, on the basis of two meetings a day, as follows:

Wednesday, 6 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

Thursday, 7 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

Friday, 8 September 2000, from 9 a.m. to 1 p.m. and from 3 to 6 p.m.;

2. *Decides also* that the Millennium Summit shall hold four interactive round-table sessions, as follows:

Wednesday, 6 September 2000, from 3 to 6 p.m.;

Thursday, 7 September 2000, from 10 a.m. to 1 p.m. and from 3 to 6 p.m.;

Friday, 8 September 2000, from 10 a.m. to 1 p.m.;

3. *Decides further* that the list of speakers for the Millennium Summit and the modalities for the round tables shall be established in accordance with the procedure set forth in the annex to the present resolution.

Annex

Organization of the list of speakers and the round tables for the Millennium Summit of the General Assembly

A

1. The list of speakers for the Millennium Summit will be established on the basis of six meetings. At the opening meeting, on Wednesday, 6 September 2000, the first speakers will be the two Co-Chairpersons of the Millennium Summit, the Secretary-General and the head of State or head of the delegation of the host country of the Organization. Therefore, the opening meeting will have 32 speaking slots. The morning meetings of Thursday, 7 September 2000, and Friday, 8 September 2000, will have 40 speaking slots. The afternoon meetings of Wednesday and Thursday will have 30 speaking slots. The Friday afternoon meeting will have 20 speaking slots since the last hour will be devoted to the closing of the Millennium Summit.

2. The list of speakers for the Millennium Summit will be initially established as follows:

(*a*) The representative of the Secretary-General will draw one name from a box containing the names of all Member States, the Holy See and Switzerland, in their capacity as observer States, and Palestine, in its capacity as observer, participating in the Millennium Summit. This procedure will be repeated until all

[1] A/53/948 and Add.1.
[2] A/54/2000.

names have been drawn from the box, thus establishing the order in which participants will be invited to choose their meetings and select their speaking slots;

(*b*) Consultations will continue regarding the possible participation of one or more representatives of intergovernmental organizations, parliaments and civil society;

(*c*) Six boxes will be prepared, each one representing a meeting and each one containing numbers corresponding to speaking slots at that meeting;

(*d*) Once the name of a Member State, observer State or Palestine, in its capacity as observer, has been drawn by the representative of the Secretary-General, that Member State, observer State or Palestine, in its capacity as observer, will be invited to first choose a meeting and then draw from the appropriate box the number indicating the speaking slot in the meeting.

3. The establishment of the initial list of speakers for the Millennium Summit as outlined in paragraph 2 of the present annex will take place at a meeting to be scheduled as soon as possible during the month of May 2000.

4. Subsequently, the list of speakers for each meeting will be rearranged in accordance with the established practice of the General Assembly when organizing each category of speakers, following the order resulting from the selection process outlined in paragraph 2 of the present annex:

(*a*) Heads of State and Government will thus be accorded first priority, followed by vice-presidents, crown princes/princesses, ministers, permanent representatives and the highest-ranking official of the Holy See and Switzerland, in their capacity as observer States, and Palestine, in its capacity as observer;

(*b*) In the event that the level at which a statement is to be made is subsequently changed, the speaker will be moved to the next available speaking slot in the appropriate category at the same meeting;

(*c*) Participants may arrange to exchange their speaking slots in accordance with the established practice of the General Assembly;

(*d*) Speakers who are not present when their speaking turn comes will be automatically moved to the next available speaking slot within their category.

5. In order to accommodate all speakers at the Millennium Summit, statements should be limited to five minutes, on the understanding that this will not preclude the distribution of more extensive texts.

B

1. The four round tables will have at least 40 seats each and will be chaired by a head of State or Government.

2. Three of the round tables will be chaired by the three regions not represented by the two Co-Chairpersons. These would be selected by their respective regional groups in consultation with the President of the General Assembly. The choice of chairperson of the fourth round table will be subject to further consultations.

3. Following the selection of the chairpersons for the round tables, each regional group will determine those members that will attend each round table, ensuring that equitable geographical distribution will be maintained, allowing for some flexibility.

The chairpersons of the regional groups will communicate to the President of the General Assembly the list of countries from their respective regions that will participate in each round table. Member States are encouraged to be represented at the round tables at the level of heads of State or Government.

4. All four round tables will cover the same overarching theme and sub-themes.

United Nations A/54/L.84

General Assembly

Distr.: Limited
16 May 2000

Original: English

Fifty-fourth session
Agenda item 116
Human rights questions

Draft resolution recommended by the Economic and Social Council

Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

The General Assembly,

Recalling all its previous resolutions on the rights of the child topic, and in particular its resolution 54/149 of 17 December 1999, in which it strongly supported the work of the open-ended inter-sessional working groups and urged them to finalize their work before the tenth anniversary of the entry into force of the Convention on the Rights of the Child,[1]

Expressing its appreciation to the Commission on Human Rights for having finalized the texts of the two optional protocols to the Convention on the Rights of the Child, on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

Conscious of the tenth anniversaries, in the year 2000, of the World Summit for Children and the entry into force of the Convention on the Rights of the Child and of the symbolic and practical importance of the adoption of the two optional protocols to the Convention on the Rights of the Child before the special session of the General Assembly for the follow-up to the World Summit for Children, to be convened in 2001,

Adhering to the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Reaffirming its commitment to strive for the promotion and protection of the rights of the child in all avenues of life,

Recognizing that the adoption and implementation of the two optional protocols will make a substantial contribution to the promotion and protection of the rights of the child,

1. *Adopts* and opens for signature, ratification and accession the two optional protocols to the Convention on the Rights of the Child,[1] on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the texts of which are annexed to the present resolution;

2. *Invites* all States that have signed, ratified or acceded to the Convention on the Rights of the Child to sign and ratify or accede to the annexed optional protocols as soon as possible in order to facilitate their early entry into force;

3. *Decides* that the two optional protocols to the Convention on the Rights of the Child will be opened for signature at the special session of the General Assembly, entitled "Women 2000: gender

[1] Resolution 44/25, annex.

00-43478 (E) 170500

equality, development and peace for the twenty-first century", to be convened from 5 to 9 June 2000 in New York, and thereafter at United Nations Headquarters, at the special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", to be convened from 26 to 30 June 2000 in Geneva, and at the Millennium Summit of the United Nations, to be convened from 6 to 8 September 2000 in New York;

4. *Requests* the Secretary-General to include information on the status of the two optional protocols in his regular report to the General Assembly on the status of the Convention on the Rights of the Child.

Annex I

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The States Parties to the present Protocol,

Encouraged by the overwhelming support for the Convention on the Rights of the Child,[1] demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Reaffirming that the rights of children require special protection, and calling for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security,

Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development,

Condemning the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places generally having a significant presence of children, such as schools and hospitals,

Noting the adoption of the Statute of the International Criminal Court[2] and, in particular, its inclusion as a war crime of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts,

Considering, therefore, that to strengthen further the implementation of rights recognized in the Convention on the Rights of the Child there is a need to increase the protection of children from involvement in armed conflict,

Noting that article 1 of the Convention on the Rights of the Child specifies that, for the purposes of that Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier,

Convinced that an optional protocol to the Convention raising the age of possible recruitment of persons into armed forces and their participation in hostilities will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Noting that the twenty-sixth international Conference of the Red Cross and Red Crescent in December 1995 recommended, *inter alia*, that parties to conflict take every feasible step to ensure that children under the age of 18 years do not take part in hostilities,

Welcoming the unanimous adoption, in June 1999, of International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits, *inter alia*, forced or compulsory recruitment of children for use in armed conflict,

Condemning with the gravest concern the recruitment, training and use within and across national borders of children in hostilities by armed groups distinct from the armed forces of a State, and recognizing the responsibility of those who recruit, train and use children in this regard,

Recalling the obligation of each party to an armed conflict to abide by the provisions of international humanitarian law,

Stressing that this Protocol is without prejudice to the purposes and principles contained in the Charter of the United Nations, including Article 51, and relevant norms of humanitarian law,

Bearing in mind that conditions of peace and security based on full respect of the purposes and principles contained in the Charter and observance of applicable human rights instruments are indispensable

[2] A/CONF.183/9.

for the full protection of children, in particular during armed conflicts and foreign occupation,

Recognizing the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to this Protocol owing to their economic or social status or gender,

Mindful of the necessity of taking into consideration the economic, social and political root causes of the involvement of children in armed conflicts,

Convinced of the need to strengthen international cooperation in the implementation of this Protocol, as well as the physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict,

Encouraging the participation of the community and, in particular, children and child victims in the dissemination of informational and educational programmes concerning the implementation of the Protocol,

Have agreed as follows:

Article 1

States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2

States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

Article 3

1. States Parties shall raise the minimum age for the voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child,[1] taking account of the principles contained in that article and recognizing that under the Convention persons under 18 are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to this Protocol that sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced.

3. States Parties that permit voluntary recruitment into their national armed forces under the age of 18 shall maintain safeguards to ensure, as a minimum, that:

(a) Such recruitment is genuinely voluntary;

(b) Such recruitment is done with the informed consent of the person's parents or legal guardians;

(c) Such persons are fully informed of the duties involved in such military service;

(d) Such persons provide reliable proof of age prior to acceptance into national military service.

4. Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall inform all States Parties. Such notification shall take effect on the date on which it is received by the Secretary-General.

5. The requirement to raise the age in paragraph 1 of the present article does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with articles 28 and 29 of the Convention on the Rights of the Child.

Article 4

1. Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

2. States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices.

3. The application of the present article under this Protocol shall not affect the legal status of any party to an armed conflict.

Article 5

Nothing in the present Protocol shall be construed as precluding provisions in the law of a State Party or in international instruments and international humanitarian law that are more conducive to the realization of the rights of the child.

Article 6

1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of this Protocol within its jurisdiction.

2. States Parties undertake to make the principles and provisions of the present Protocol widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to this Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to these persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

Article 7

1. States Parties shall cooperate in the implementation of the present Protocol, including in the prevention of any activity contrary to the Protocol and in the rehabilitation and social reintegration of persons who are victims of acts contrary to this Protocol, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation with concerned States Parties and relevant international organizations.

2. States Parties in a position to do so shall provide such assistance through existing multilateral, bilateral or other programmes, or, *inter alia*, through a voluntary fund established in accordance with the rules of the General Assembly.

Article 8

1. Each State Party shall submit, within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of this Protocol.

Article 9

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification and is open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The Secretary-General, in his capacity as depositary of the Convention and the Protocol, shall inform all States Parties to the Convention and all States that have signed the Convention of each instrument of declaration pursuant to article 13.

Article 10

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the present Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 11

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States that have signed the Convention. The denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General. If, however, on the expiry of that year the denouncing State Party is engaged in armed conflict, the denunciation shall not take effect before the end of the armed conflict.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in

any way the continued consideration of any matter that is already under consideration by the Committee prior to the date on which the denunciation becomes effective.

Article 12

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments that they have accepted.

Article 13

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.

Annex II

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The States Parties to the present Protocol,

Considering that, in order further to achieve the purposes of the Convention on the Rights of the Child[1] and the implementation of its provisions, especially articles 1, 11, 21, 32, 33, 34, 35 and 36, it would be appropriate to extend the measures that States Parties should undertake in order to guarantee the protection of the child from the sale of children, child prostitution and child pornography,

Considering also that the Convention on the Rights of the Child recognizes the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development,

Gravely concerned at the significant and increasing international traffic of children for the purpose of the sale of children, child prostitution and child pornography,

Deeply concerned at the widespread and continuing practice of sex tourism, to which children are especially vulnerable, as it directly promotes the sale of children, child prostitution and child pornography,

Recognizing that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation, and that girl children are disproportionately represented among the sexually exploited,

Concerned about the growing availability of child pornography on the Internet and other evolving technologies, and recalling the International Conference on Combating Child Pornography on the Internet (Vienna, 1999) and, in particular, its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry,

Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration,

gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children,

Believing that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and also believing in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level,

Noting the provisions of international legal instruments relevant to the protection of children, including the Hague Convention on the Protection of Children and Cooperation with Respect to Inter-Country Adoption, the Hague Convention on the Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, and International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists for the promotion and protection of the rights of the child,

Recognizing the importance of the implementation of the provisions of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography[3] and the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[4] and the other relevant decisions and recommendations of pertinent international bodies,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Have agreed as follows:

Article 1

States Parties shall prohibit the sale of children, child prostitution and child pornography as provided for by the present Protocol.

Article 2

For the purpose of the present Protocol:

(a) Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration;

(b) Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;

(c) Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Article 3

1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether these offences are committed domestically or transnationally or on an individual or organized basis:

(a) In the context of sale of children as defined in article 2:

(i) The offering, delivering or accepting, by whatever means, a child for the purpose of:

a. Sexual exploitation of the child;

b. Transfer of organs of the child for profit;

c. Engagement of the child in forced labour;

(ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;

(b) Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;

(c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for

[3] *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A, resolution 1992/74, annex.

[4] A/51/385, annex.

the above purposes child pornography as defined in article 2.

2. Subject to the provisions of a State Party's national law, the same shall apply to an attempt to commit any of these acts and to complicity or participation in any of these acts.

3. Each State Party shall make these offences punishable by appropriate penalties that take into account their grave nature.

4. Subject to the provisions of its national law, each State Party shall take measures, where appropriate, to establish the liability of legal persons for offences established in paragraph 1 of the present article. Subject to the legal principles of the State Party, this liability of legal persons may be criminal, civil or administrative.

5. States Parties shall take all appropriate legal and administrative measures to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal instruments.

Article 4

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, when the offences are commited in its territory or on board a ship or aircraft registered in that State.

2. Each State Party may take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, in the following cases:

(a) When the alleged offender is a national of that State or a person who has his habitual residence in its territory;

(b) When the victim is a national of that State.

3. Each State Party shall also take such measures as may be necessary to establish its jurisdiction over the above-mentioned offences when the alleged offender is present in its territory and it does not extradite him or her to another State Party on the ground that the offence has been committed by one of its nationals.

4. This Protocol does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 5

1. The offences referred to in article 3, paragraph 1, shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties and shall be included as extraditable offences in every extradition treaty subsequently concluded between them, in accordance with the conditions set forth in those treaties.

2. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Protocol as a legal basis for extradition in respect of such offences. Extradition shall be subject to the conditions provided by the law of the requested State.

3. States Parties that do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 4.

5. If an extradition request is made with respect to an offence described in article 3, paragraph 1, and if the requested State Party does not or will not extradite on the basis of the nationality of the offender, that State shall take suitable measures to submit the case to its competent authorities for the purpose of prosecution.

Article 6

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 7

States Parties shall, subject to the provisions of their national law:

(a) Take measures to provide for the seizure and confiscation, as appropriate, of:

(i) Goods such as materials, assets and other instrumentalities used to commit or facilitate offences under the present protocol;

(ii) Proceeds derived from such offences;

(b) Execute requests from another State Party for seizure or confiscation of goods or proceeds referred to in subparagraph (a) (i);

(c) Take measures aimed at closing, on a temporary or definitive basis, premises used to commit such offences.

Article 8

1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:

(a) Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;

(b) Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;

(c) Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;

(d) Providing appropriate support services to child victims throughout the legal process;

(e) Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;

(f) Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;

(g) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.

2. States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.

3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration.

4. States Parties shall take measures to ensure appropriate training, in particular legal and psychological training, for the persons who work with victims of the offences prohibited under the present Protocol.

5. States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences.

6. Nothing in the present article shall be construed as prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

Article 9

1. States Parties shall adopt or strengthen, implement and disseminate laws, administrative measures, social policies and programmes to prevent the offences referred to in the present Protocol. Particular attention shall be given to protect children who are especially vulnerable to these practices.

2. States Parties shall promote awareness in the public at large, including children, through information by all appropriate means, education and training, about the preventive measures and harmful effects of the offences referred to in the present Protocol. In fulfilling their obligations under this article, States Parties shall encourage the participation of the community and, in particular, children and child victims, in such information and education and training programmes, including at the international level.

3. States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to

victims of such offences, including their full social reintegration and their full physical and psychological recovery.

4. States Parties shall ensure that all child victims of the offences described in the present Protocol have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible.

5. States Parties shall take appropriate measures aimed at effectively prohibiting the production and dissemination of material advertising the offences described in the present Protocol.

Article 10

1. States Parties shall take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism. States Parties shall also promote international cooperation and coordination between their authorities, national and international non-governmental organizations and international organizations.

2. States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.

3. States Parties shall promote the strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the sale of children, child prostitution, child pornography and child sex tourism.

4. States Parties in a position to do so shall provide financial, technical or other assistance through existing multilateral, regional, bilateral or other programmes.

Article 11

Nothing in the present Protocol shall affect any provisions that are more conducive to the realization of the rights of the child and that may be contained in:

(a) The law of a State Party;

(b) International law in force for that State.

Article 12

1. Each State Party shall submit, within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of this Protocol.

Article 13

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification and is open to accession by any State that is a party to the Convention or has signed it. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

Article 14

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the present Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 15

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States that have signed the Convention. The denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General of the United Nations.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under this Protocol in regard to any offence that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter that is already under consideration by the Committee prior to the date on which the denunciation becomes effective.

Article 16

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments that they have accepted.

Article 17

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.